

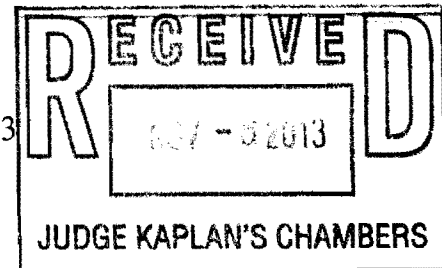
Andrew G. Patel
Attorney-at-Law
The Trinity Building
111 Broadway, 13th Floor
New York, New York 10006
Telephone 212-349-0230

MEMO ENDORSED

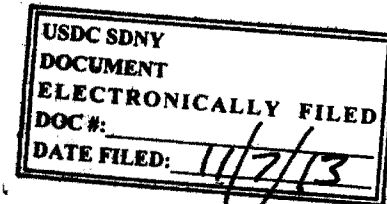
Fax 212-346-4665

By Hand

November 4, 2013



Honorable Lewis A. Kaplan
United States District Judge
United States Courthouse
500 Pearl Street
New York, NY 10007



Re: United States v. Adel Abdel Bary
(S7) 98 Cr. 1023 (LAK)

Dear Judge Kaplan:

The Government contends that we have made an insufficient showing to establish that Mr. Bary's brother is "unavailable" to testify at the trial of this matter so as to warrant the taking of his deposition pursuant to Rule 15 of the Federal Rules of Criminal Procedure. We have been attempting to obtain additional information concerning the ability of Mr. Bary's brother to obtain a visa to travel to this District to testify.

Unfortunately, language barriers, time zones, technological issues and a good measure of civil unrest in Cairo have made it impossible for us to get the information to submit our Rule 15 Reply in a timely fashion.

In light of the unusual circumstances that produced our communications difficulties, we respectfully request authorization to submit our reply as soon as we possibly can. I make this request with the consent of Assistant United States Attorney Sean Buckley.

Respectfully submitted,

SO ORDERED

Grated
[Signature]
LEWIS A. KAPLAN 11/7/13

[Signature]
Andrew Patel
Counsel for Adel Abdel Bary

cc: All counsel (by electronic mail)